

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983

Name CARTER MARKEE D.
 (Last) (First) (Initial)

Prisoner Number E.57454

Institutional Address SAN QUENTIN STATE PRISON

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MARKEE D. CARTER
 (Enter the full name of plaintiff in this action.)

VS.

BRAD SMITH, PHILIP EARLEY, GARY LOREDO,

JOE DOBIE, LUU T. ROGERS, JEREMY YOUNG,

JOHN WALKER, K. DAVIS; ELIZABETH BARCOCK.

(Enter the full name of the defendant(s) in this action)

Case No. _____
 (To be provided by the Clerk of Court)

COMPLAINT UNDER THE
 CIVIL RIGHTS ACT,
 Title 42 U.S.C § 1983

(PR)

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies.

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement San Quentin State Prison

B. Is there a grievance procedure in this institution?

YES (x) NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES (x) NO ()

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

COMPLAINT

1. Informal appeal Bypass

2. First formal level Sept. 4, 2012 Original appeals Coordinator
Ira J. Tate, Appeal Number 6-12-01998

3. Second formal level 8/29/12, Brad Smith. Original Partially
(Granted) appeal. Then he back dated it to make it
appear that it took place on 8/27/2012.

4. Third formal level J.D Lozano, Chief Office of Appeals,
dated October 29, 2012.

E. Is the last level to which you appealed the highest level of appeal available to you?

YES (X) NO ()

F. If you did not present your claim for review through the grievance procedure, explain why. N/A

II. Parties.

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

San Quentin State Prison, San Quentin, CA,
94974. CAL-PIA Industry Employee in mattress & Bedding factory

B. Write the full name of each defendant, his or her official position, and his or her place of employment.

Branch Manger, Brad Smith, Lead Manger, Philip Early*

1 Gary Loreda, Supervisor: Joe Dobie, Supervisor Jeremy Young,
 2 Indust. Supervisor: M&R, LUU T Rogers, Hazmat Material Specialist,
 3 Elizabeth Babcock; and Correctional Officer K.A. Davis, and
 4 Health & Safety Manager, John Walker.

5 III. Statement of Claim.

6 State here as briefly as possible the facts of your case. Be sure to describe how each
 7 defendant is involved and to include dates, when possible. Do not give any legal arguments or
 8 cite any cases or statutes. If you have more than one claim, each claim should be set forth in a
 9 separate numbered paragraph.

10 Between the date of 5/9/2012, until 6/6/12 defendant Joe Dobie,
 11 violated State & Federal Regulations when defendant Joe Dobie,
 12 failed to follow regulations required as a Supervisor to pro-
 13 vide employee MARKEE CARTER with personal protective equipment
 14 during inventory. Supervisor Joe Dobie, instructed plaintiff to
 15 remove lead base paint from the windows, and wall panels
 16 down to bare metal; Also, Joe Dobie had plaintiff working in
 17 a dangerous, and hazardous environment while "inmate employees,
 18 used high pressure washer's to clean high beam & steam line
 19 pipes in cased with (Asbestos). At no time was proper training
 20 ever given, and at no time was plaintiff, given proper training
 21 nor given protective clothing, respirator apparatus or reason-
 22 able measures of protection in work related area while said

23 IV. Relief.

24 Your complaint cannot go forward unless you request specific relief. State briefly exactly
 25 what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

26 To include that CAL-PIA Industry, cover any, and all future
 27 medical cost for treatment that is deem related to any, and all
 28 diseases, and/or conditions such as my continued eye problems:
and breathing problems caused by my years of breathing,

COMPLAINT

STATEMENT OF CLAIM Continued)

work was being done for the protection against friable asbestos exposure in CAL-PIA mattress & bedding factory located at San Quentin, State Prison.

I've suffered and continue to incur acute and chronic eye problems, chest pains, coughing, and headaches. Defendant Joe Dobie acted with deliberate indifference to my health & safety by depriving me the basic human need of protection from Asbestos and Lead exposure.

These Hazardous conditions at CAL-PIA Mattress, & Bedding Factory at San Quentin State Prison have been longstanding, pervasive, well documented, and expressly noted by others CAL-PIA Officials, and Defendant Joe Dobie had fore knowledge and knew about these risk yet failed to warn me of the substantial risk of serious harm to my health.

Falsification or making Intentionally misleading statements in Officials reports/records of the extent degree of dangerous and/or hazardous exposure to employee in a workers compensation claim.

Defendant Gray Loreda (PIA Supervisor) and defendant Philip Earley (PIA) Manager intentionally with forethought attempted to minimize the severity of the exposure by failing to disclose/enter onto the Worker's Compensation form exposure to asbestos failure to fully disclose resulted in a "fraudulent and/or Incomplete Worker's Compensation Claim barring the defendant of addressing this issue if discovered in the future of asbestos related complications as a claim

Relief cont 3.

Asbestos particles that causes the suffering of Mesotheloma over
the passing of time

1 The conditions in CAL-PIA here at San Quentin Prison
2 have not improved, and I MARKEE CARTER continue to have
3 irritation of the eyes, and breathing problems, with the
4 threat of being fired from my job if I complain

5 I declare under penalty of perjury that the foregoing is true and correct.

6
7 Signed this 11 day of 9, 20 13

8
9 X Markee Dion Carter

10 (Plaintiff's signature)

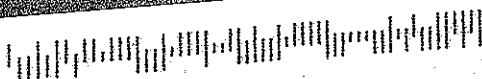
Name to seek: markee Carter

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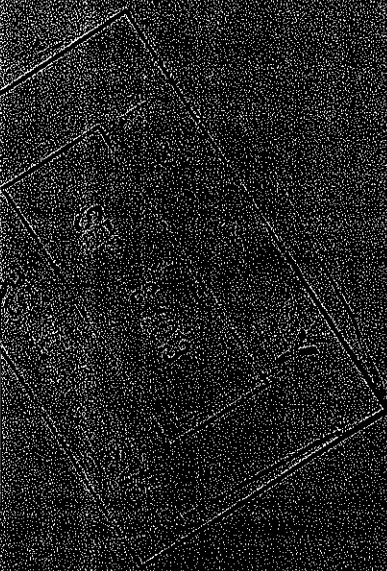
Case	Judge	Title	First	Middle	Last	Filed	NOS
3:06-cv-07398-SI	SI	Carter v. Ayers	Markee		Carter	12/4/2006	530

774
P. Sam Quention, 1-N-39-
Quention, Calif
Archer Carter E. 57154



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NORTHERN DISTRICT OF CALIFORNIA
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NORTHERN DISTRICT OF CALIFORNIA

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